

1 SCOTT N. SCHOOLS, SC SBN 9990
United States Attorney
2 JOANN M. SWANSON, CSBN 88143
Assistant United States Attorney
3 Chief, Civil Division
MELANIE L. PROCTOR, CSBN 228971
4 Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
6 Telephone: (415) 436-6730
FAX: (415) 436-6927

7
8 UNITED STATES DISTRICT COURT
9
NORTHERN DISTRICT OF CALIFORNIA
10
SAN FRANCISCO DIVISION

10 VICTOR VOLOVNIKOV,)
11) No. C 07-3607 EDL
12 Plaintiff,)
13 v.)
14 Department of Homeland Security, MICHAEL)
CHERTOFF, Secretary; U.S. Attorney General,)
15 ALBERTO GONZALES; United States)
Citizenship and Immigration Services,)
16 EMILIO T. GONZALEZ, Director; United)
States Citizenship and Immigration Services,)
17 ALFONSO AGUILAR, Chief; United States)
Citizenship and Immigration Services, DAVID)
18 STILL, District Director,)
19 Defendants.)
20

) **PARTIES' JOINT REQUEST TO BE
EXEMPT FROM FORMAL ADR
PROCESS**

21 Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute
22 Resolution Procedures in the Northern District of California," or the specified portions of the ADR
23 Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution
24 options provided by the court and private entities, and considered whether this case might benefit
25 from any of them. Here, the parties agree that referral to a formal ADR process will not be
26 beneficial because this action is limited to plaintiff's request that this Court compel defendants to
27 adjudicate the application for naturalization. Defendants have already requested the FBI expedite
28 the name check so that the application may be processed as soon as possible. Given the substance

Parties' Request for ADR Exemption

C07-3607 EDL

1 of the action and the lack of any potential middle ground, ADR will only serve to multiply the
2 proceedings and unnecessarily tax court resources.

3 Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the
4 ADR Multi-Option Program and that they be excused from participating in the ADR phone
5 conference and any further formal ADR process.

6 Dated: September 21, 2007

Respectfully submitted,

7
8 SCOTT N. SCHOOLS
United States Attorney

9
10 /s/
MELANIE L. PROCTOR
11 Assistant United States Attorney
Attorneys for Defendants

12 Dated: September 21, 2007

13 /s/
MONICA KANE
14 Attorney for Plaintiff

15 **ORDER**

16 Pursuant to stipulation and to ADR L.R. 3-3(c), the parties are hereby removed from the ADR
17 Multi-Option Program and are excused from participating in the ADR phone conference and any
18 further formal ADR process.

19 **SO ORDERED.**

20 Dated: October 19, 2007

